

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

NEW JERSEY BUILDING LABORERS  
STATEWIDE BENEFIT FUNDS AND THE  
TRUSTEES THEREOF,

Petitioner,

vs.

TRICON ENTERPRISES,

Respondent.

**Civil Action No.: 22-2288 (GC)**

**OPINION**

CASTNER, U.S.D.J.

THIS MATTER comes before the Court upon the Petition and Motion to Confirm Arbitration Award filed by Petitioners New Jersey Building Laborers Statewide Benefit Funds And The Trustees Thereof (“Petitioner”) (ECF Nos. 1, 2). Respondent Tricon Enterprises (“Respondent”) has not opposed. The Court has decided the motion based on the written submissions of the parties and without oral argument, pursuant to Local Civil Rule 78.1(b). For the reasons stated herein, Petitioner’s Petition and Motion to Confirm the Arbitration Award are GRANTED.

Upon review of Petitioner’s submissions, the Court finds that Respondent is bound by a collective bargaining agreement with Petitioner. (Pet. ¶ 6, ECF No. 1). Respondent is also bound by the Declaration of Trust of the Funds. (Pet. ¶ 7, ECF No. 1).

The agreement provides that “the trustees may take any action necessary or appropriate to enforce payment of contributions, interest damages, and expenses provided for herein.” (Pet. ¶ 8; Collective Bargaining Ag., §4, Ex. B to Pet., ECF No. 1).

In accordance with these terms, this dispute was submitted to Arbitrator J.J. Pierson (the “Arbitrator”). Following a hearing held on February 22, 2022 and with proper notice to all parties, the Arbitrator entered an Award in writing on the same date. (Pet. ¶ 9) (Arb. Award, Ex. D to Pet., ECF No. 1). The Award indicates that Respondent was delinquent in making required contributions to Petitioner New Jersey Building Laborers’ Statewide Funds between August 10, 2021 through October 13, 2021. (*Id.* ¶¶ 2-3).

This Court must confirm an arbitration award “[i]f the parties in their agreement have agreed that a judgment of the Court shall be entered upon the award made pursuant to the arbitration.” 9 U.S.C. § 9. Having considered Petitioners’ written submissions in light of Respondent’s failure to oppose, and for good cause shown, this Court grants Petitioners’ Petition and Motion to Confirm Arbitration Award. (ECF Nos. 1, 2). An appropriate Order will follow.

  
\_\_\_\_\_  
GEORGETTE CASTNER, U.S.D.J.

Date: 10/26/22